

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 GG, Closed Area No. 26-K, The upper Meduncook River and Hornbarn Cove - Crotch Island, Cushing, promulgated on April 21, 1998, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 GG, Closed Area No. 26-K, The upper Meduncook River, and Hornbarn Cove-Crotch Island, Cushing and Friendship.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters in three areas of the Meduncook River watershed. These three areas are described as follows: (1) the Meduncook River, upstream (northerly) of a line formed by the Salt Pond Road Bridge in the towns of Friendship on the western shore and Cushing on the eastern shore (2) the northeastern most end of Hornbarn Cove, inside and easterly of a line running southerly from a red painted post, located on an unnamed point of land approximately 500 feet southeast of the northern most part of Hornbarn Cove, south to another red painted post on the eastern shore of Hornbarn Cove, located approximately 700 feet southeast of the northern most part of Hornbarn Cove; AND (3) the southern end of Crotch Island inside of the following two lines: a) a line drawn from the southwest prominence of Crotch Island running southeasterly to the southwest prominence of Davis Point and; b) a line drawn from the southeast prominence of Crotch Island to the southwest prominence of Davis Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: October 6, 1999

AGENCY CONTACT PERSON: Paul S. Anderson
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West Boothbay Harbor, ME 04575

THE COURIER GAZETTE
October 12, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 GG, Closed Area No. 26-K, Upper Meduncook, River and Hornbarn Cove - Crotch Island, Cushing, promulgated on April 21, 1998, and replaces it with a new rule. This new rule (26-K) reduces the size of the closed area at the head of the Meduncook River in the towns of Friendship and Cushing. The remaining three areas are still subject to microbiological pollution and will remain closed to protect the public health.



E. PENN ESTABROOK
DEPUTY COMMISSIONER



Department of Marine Resources

Legal Notice of Shellfish Closure Area 26K

The upper Meduncook River, and Hornbarn Cove, and Crotch Island Cushing

